

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

OWEN P. MARTIKAN (CABN 177104)
Assistant United States Attorney

450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Fax: (415) 436-7234
E-Mail: owen.martikan@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
REMSEN MCGINNIS BENEDICT,)
)
Defendant.)

No. CR 08-0025 WHA

**THE UNITED STATES' MOTION TO
VACATE HEARING AND ISSUE
JUDGMENT AND ~~PROPOSED~~
ORDER**

The United States respectfully asks the Court to vacate the restitution hearing currently set for Tuesday, May 4, 2010, and to issue the judgment and commitment order forthwith. The United States does not intend to seek any further relief in this matter.

DATED: April 28, 2010

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/

OWEN P. MARTIKAN
Assistant United States Attorney

~~PROPOSED~~ ORDER

The Court GRANTS the United States' motion and hereby vacates the previously set restitution hearing and associated briefing schedule. The Clerk shall issue the judgment forthwith.

SO ORDERED.

April 28, 2010.

